

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Javier PRADIS-Melchor

Defendant.

Magistrate Case No. **'08 MJ 8683**

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)


The undersigned complainant being duly sworn states:

That on or about August 1, 2008, within the Southern District of California, defendant Javier PRADIS-Melchor did knowingly and intentionally import approximately 39.50 kilograms (86.90 pounds) of marijuana a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Probable Cause Statement incorporated herein by reference.


Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4TH,
DAY OF AUGUST 2008.


Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Javier PRADIS-Melchor

4 PROBABLE CAUSE

5 I, John W. Reed, declare under penalty of perjury that the following statement of
6 probable cause is true to the best of my knowledge.

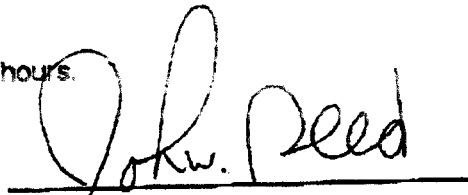
7 On August 1, 2008 at approximately 2300 hours, Javier PRADIS-Melchor entered
8 the United States at the Calexico, California, West Port of Entry. PRADIS-Melchor was
9 the driver of a 1995 Ford Taurus. Customs and Border Protection Officer (CBPO) E.
10 Stewart conducted the primary inspection of PRADIS-Melchor. CBPO Stewart received
11 a negative customs declaration from PRADIS-Melchor. PRADIS-Melchor told CBPO
12 Stewart the car he was driving was his wife's car and that he was going to Wal-Mart.
13 CBPO Stewart also conducted the secondary inspection of PRADIS-Melchor and the
14 vehicle he was driving. CBPO Stewart requested CBPO R. Waters to utilize his
15 Human/Narcotics Detection Dog (HNDD) on the vehicle.

16 CBPO Waters inspected the vehicle PRADIS-Melchor was driving with his HNDD
17 "Peter." The HNDD alerted and responded to the underside bumper of the vehicle.

18 A subsequent inspection of the vehicle revealed thirty-four packages concealed
19 in the vehicle dashboard, quarter panel, spare tire, rear seat and gas tank. CBPO
20 Stewart probed one of the packages and a sample of a green leafy substance was
21 obtained, which field tested positive for marijuana. The thirty-four packages had a
22 combined net weight of approximately 39.50 kilograms (86.90 pounds).

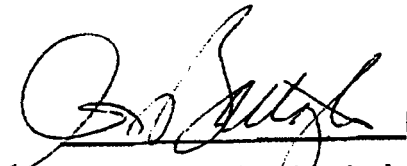
23 PRADIS-Melchor was interviewed by SA J. Reed and advised him of his
24 Constitutional Rights, which he acknowledged and waived, agreeing to answer
25 questions. PRADIS-Melchor stated he entered the U.S. to buy beer and was going to
26 immediately return to Mexico.
27
28
29

Executed on 08/01/2008 at 2000 hours.



John W. Reed, Special Agent
U.S. Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of two (2) pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on August 1, 2008, in violation of Title 21 United States Code, Section(s) 952 & 960.

 Date 8/2/08
United States Magistrate Judge *3pm*